

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Case No.: 3:22-cv-00506-MMD-CSD

LAWSON GUY STEVE,

Plaintiff

v.

CATHY TUNI, et al.,

Defendants

Order

Plaintiff was an inmate in the custody of the Lyon County Jail when he filed his civil rights complaint. (ECF No. 1-1.) He also filed an application to proceed *in forma pauperis* (IFP); however, it did not comply with the rules for seeking IFP status for an inmate, who is still required to pay the \$350 filing fee over time. As such, the court denied his IFP application without prejudice and gave him 30 days to file his completed IFP application with the required documents for an inmate or pay the full filing fee of \$402 (\$350 filing fee and \$52 administrative fee (the \$52 administrative fee is waived for an inmate granted IFP status)). (ECF No. 5.)

That order was returned as undeliverable. (ECF No. 6.)

On March 10, 2023, the court gave Plaintiff 30 days to file a notice of change of address as well as his completed IFP application, noting that a failure to do so would result in a recommendation that this action be dismissed. (ECF No. 7.) That order was returned as undeliverable (ECF No. 8). However, Plaintiff filed a notice of change of address on April 12, 2023, indicating he is out of custody. (ECF No. 9.)

The Local Rules of Practice for the District of Nevada provide: “Any person who is unable to prepay the fees in a civil case may apply to the court for authority to proceed [IFP].

1 The application must be made on the form provided by the court and must include a financial
2 affidavit disclosing the applicant's income, assets, and liabilities." LSR 1-1.

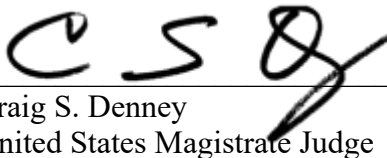
3 Now that Plaintiff is out of custody, the court will require him to submit an updated IFP
4 application for a non-prisoner.

5 The Clerk shall **SEND** Plaintiff a copy of the instructions and application to proceed IFP
6 for a non-prisoner. Plaintiff has **30 days** from the date of this Order to either file his completed
7 IFP application or pay the full \$402 filing fee. If Plaintiff files his completed IFP application, the
8 court will screen the complaint under 28 U.S.C. § 1915(e)(2)(B), which requires dismissal of a
9 complaint, or any portion thereof, that is frivolous or malicious, fails to state a claim upon which
10 relief may be granted, or seeks monetary relief against a defendant who is immune from such
11 relief.

12 If Plaintiff fails to timely file a completed IFP application or pay the filing fee, the court
13 will recommend dismissal of this action without prejudice.

14 **IT IS SO ORDERED.**

15 Dated: April 14, 2023

16 
17 Craig S. Denney
18 United States Magistrate Judge
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